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DEL D3 2004

Attorney Docket No. 1322.0040C

**PATENT** 

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Durward I. Faries, Jr. et al.

Serial No.:

10/016,128

Examiner:

Unknown

Confirmation No.: 4172

Art Unit:

3763

Filed:

December 17, 2001

For:

Method and Apparatus for Heating Solutions Within Intravenous Lines to Desired

Temperatures During Infusion

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

Pursuant to the duty imposed by 37 C.F.R. §1.56 to disclose information which may be material to the patentability of the above-identified patent application, the Applicant(s) would like to direct the Examiner's attention to the documents listed on the enclosed Information Disclosure Citation Form (PTO/SB/08). In accordance with this duty of disclosure, Applicant(s) hereby submits the following information in conformance with 37 C.F.R. §§1.97 and 1.98.

Form PTO/SB/08 is enclosed.
The subject Information Disclosure Statement is being filed without copies of the listed U.S. Patents and/or U.S. patent application publications pursuant to the waiver of the requirement under 37 C.F.R. §1.98(a)(2)(i) for applications filed after June 30, 2003. Copies of the listed foreign patent documents and/or non-patent literature are enclosed herewith.
No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No to which the above-identified application claims priority under 35 U.S.C. §120.

	in a fe	cation(s) listed on the attached Form PTO/SB/08A were cited or eign search or examination report corresponding to cation serial no and mailed on										
	§609	sed is a copy of a non-English publication(s) Pursuant to of the M.P.E.P., Applicant submits the attached foreign search or ination report, which cites such non-English language publication(s).										
	langu	sed is a copy of a non-English publication(s) English age publication (copy enclosed) claims priority from this non-sh publication.										
		sed is an explanation of non-English publication(s) for which glish translation is not available.										
	Enclo	Enclosed is an English translation of non-English publication(s)cited in the attached Form PTO/SB/08A.										
	Enclo	sed is a copy of pending patent Application Serial No										
This time periods		tion Disclosure Statement is filed within any one of the following										
		within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);										
		within three months from the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in this international application;										
	$\boxtimes$	before the mailing date of a first office action on the merits; or										
		before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.										

The Commissioner is hereby authorized to charge payment of any fees required for the above-identified application or credit any overpayment to Deposit Account No. 05-0460.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application.

Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Attorney Docket No. 1322.0040C Serial No. 10/016,128 Page 3

Respectfully submitted by

EDELL, SHAPIRO & FINNAN, LLC

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: 12/3/04

EDELL, SHAPIRO & FINNAN, LLC CUSTOMER NO. 27896 1901 Research Boulevard, Suite 400 Rockville, MD 20850 (301) 424-3640

By:

Stuart B. Shapiro Reg. No. 40,169 40

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				Application Number	10/016,128						
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				Group Art Unit	3763						
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Sheet	1	of	1	Attorney Docket Number	1322.0040C						

U.S. PATENT DOCUMENTS											
Examiner Initials*		U.S. Patent Doo	cument		Date of Publication of Cited						
	Cite No. <sup>1</sup>	Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Document MM-DD-YYY						
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	FOREIGN PATENT DOCUMENTS													
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number.

<sup>&</sup>lt;sup>2</sup> See attached Kinds of U.S. Patent Documents.

<sup>&</sup>lt;sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

<sup>&</sup>lt;sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>&</sup>lt;sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

<sup>&</sup>lt;sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.